

REMARKS

Claims 5-10 and 18-20 are now pending in the application. Claims 1-4, 11-17 and 21 are cancelled and claims 5 and 18 have been amended.

Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Rejections Under 35 U.S.C. § 103

Claims 5-10 and 18-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Makaran (U.S. No. 5,774,921).

Claims 14-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pohl (U.S. No. 4,772,019) in view of Makaran (U.S. No. 5,774,921).

Claims 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Makaran (U.S. No. 5,774,921) in view of Pohl (U.S. No. 4,772,019).

In order to provide a *prima facie* showing of obviousness under 35 U.S.C. § 103(a), all the claim limitations must be taught or suggested by the prior art. See, e.g., *In re Royka*, 490 F. 2d 981, 180 U.S.P.Q. 580 (CCPA 1974); MPEP 2143.03.

The amended claims 5 and 18 include two, first and second, counting loops. Two, first and second, counters are used in the two counting loops respectively. The first

counter is used to count the number of the fan stops for a first time period. The second counter is used to count the number of the fan stops for a second time period. The first counting loop is performed repeatedly when the second counting loops begun. The first counter is reset to count the number of the fan stops for a first time period again when the number counted by the second counter is increased 1. That is the first counting loop is involved in the second counting loops. Therefore, when the set number for the fan to stop a first time period is 5 and the set number for the fan to stop a second time period is 6, the total number to determine the fan is locked and to cut off the power supplied to the fan is 25 (5×5).

The cited reference, Makaran, does not teach or suggest the claimed invention. In particular, Makaran does not disclose two counters. Makaran only discloses one counter. Therefore, Makaran does not provide the function to count two different numbers for the fan to stop a first time period and second time period at the same time. Therefore, the two counting loops 436 and 440, see *figure 10 in Makaran*, are independent to each other. In other words, when the second counting loop 440 begun, the first counting loop 436 is not involved in the second counting loops. That is once the second counting loop 440 has begun, the process will not go back to the first counting loop 436. Therefore, the independent claims 5 and 18 are patentable over the cited references and in condition for allowance.

In view of the foregoing, Applicant respectfully submits that independent claims 5, and 18 are patentable over the cited references and in condition for allowance. Further, Applicant respectfully submits that dependent claims 6-10 and 19-20, which ultimately depend from claims 5 and 18, are likewise patentable and in condition for allowance.

Withdrawal of the foregoing rejections under 35 U.S.C. § 103(a) is, therefore, respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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